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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,365	12/22/2000	Stephen Thomas	06949.105013	2464

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Steven P. Wigmore, Esq.
KING & SPALDING
45th Floor
191 Peachtree Street, N.E.
Atlanta, GA 30303

EXAMINER

ADAMS, JONATHAN R

ART UNIT PAPER NUMBER

2134

DATE MAILED: 08/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/747,365

Applicant(s)

THOMAS ET AL.

Examiner

Jonathan R Adams

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 2 rejected under 35 U.S.C. 103(a) as being unpatentable over Zimmerman et al., US Patent No. 6526131 (hereafter referred to as '131) in view of "Introduction to SSL".

3. As to claims 1 and 2:

'131 teaches a method for secure enrollment of a device with services for Internet telephony using SSL with public key certificates (Col 8, Line 37, '131). '131 further teaches:

- Issuing to the clearinghouse server a request from the device for enrollment comprising public key / Set up a secure link over the Internet with CSS over which the CONNECT request can be passed (Col 9, Line 53, '131)
- Completing enrollment of device to access services of clearinghouse server / Main transactions of the connection manager protocol are connect and DISCONNECT (Col 9, Line 37, '131)

4. '131 does not specifically teach the specifics of the SSL protocol. "Introduction to SSL" teaches protocol specifics for SSL comprising:

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- Obtaining an identity of the clearinghouse server / the client send the server the client information (Page 6, Line 12, SSL). For the client to send information to the server it must first obtained the identity of the server.
- Issuing a CA certificate request from the device to the clearinghouse server using the obtained identity / Client initiates SSL handshake, server sends certificate (Page 6, Line 11-15, SSL)
- Determining by the device the verification of the CA certificate / Client authenticates the server (Page 7, Line 1, SSL)
- Responsive to verification of the CA certificate, generating a combination of a private key and a public key / Using all data generated in the handshake client creates premaster secret encrypts it with servers public key (Page 7, Line 5, SSL)
- Generating a public key certificate at the clearinghouse server and transmitting the public key certificate to the device / the server sends its own certificate (Page 6, Line 12, SSL)

5. It would have been obvious to a person of ordinary skill in the art at the time of invention to use the protocol specifics listed in Introduction to SSL with the secure SSL communication of '131. One of ordinary skill in the art would have been motivated to use the protocol specifics listed in Introduction to SSL with the secure SSL communication of '131 because the protocol specifics listed represent readily available options employed within the SSL communications framework.

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Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan R Adams whose telephone number is (703) 305-8894. The examiner can normally be reached on Monday – Friday from 10am to 6pm.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached on (703) 308-4789. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100